

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PHILLIP WEBER,

Defendant.

8:14CR310

ORDER

This matter is before the court on the motion for an extension of time by defendant Phillip Weber (Weber) (Filing No. 16). Weber seeks until November 4, 2014, in which to file pretrial motions in accordance with the progression order. Upon consideration, the motion will be granted.

**IT IS ORDERED:**

1. Defendant Weber's motion for an extension of time (Filing No. 16) is granted. Weber is given until **on or before November 4, 2014**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., **the time between October 10, 2014, and November 4, 2014**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

2. The trial of this matter previously scheduled for November 10, 2014 (Filing No. 15), is canceled and will be rescheduled following the disposition of any pretrial motions or the expiration of the motion deadline set forth above.

DATED this 14th day of October, 2014.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge